

## ZONING AND BUILDING AGENDA

JULY 13, 2004

### THE ZONING BOARD OF APPEALS RECOMMENDATIONS:

248902 DOCKETS #7243 & #7244 - MEESE & ASSOCIATES, LTD./RALPH AND RUTH KOTTKE, Owners, 238 West Lincoln Street, Barrington, Illinois 60010, Application (No. MA-22-02; Z02011). Submitted by Schain, Barney, Ross & Citren, 222 North LaSalle Street, Suite 1910, Chicago, Illinois 60601. Seeking a MAP AMENDMENT from the R-2 Single Family Residence District to the R-3 Single Family Residence District for a Planned Unit Development (if granted under companion SU-22-04) for fourteen (14) single family homes in Section 22 of Barrington Township (previously approved by the Cook County Board). Property consists of approximately 21 acres located on the south side of Algonquin Road, approximately 1100 feet west of Stover Road in Barrington Township. Intended use: For fourteen (14) upscale single family homes. **Recommendation: That the applicant's request for a one year extension of time be granted.**

248903 DOCKETS #7243 & #7244 - MEESE & ASSOCIATES, LTD./RALPH AND RUTH KOTTKE, Owners, 238 West Lincoln Street, Barrington, Illinois 60010, Application (No. SU-22-04; Z02012). Submitted by Schain, Barney, Ross & Citren, 222 North LaSalle Street, Suite 1910, Chicago, Illinois 60601. Seeking a SPECIAL USE from the R-3 Single Family Residence District (if granted under companion MA-22-01) for fourteen (14) single family homes in Section 22 of Barrington Township (previously approved by the Cook County Board). Property consists of approximately 21 acres located on the south side of Algonquin Road approximately 1100 feet west of Stover Road in Barrington Township. Intended use: For the construction of fourteen (14) upscale single family homes on minimum lot sizes in excess of 40,000 square feet. **Recommendation: That the applicant's request for a one year extension of time be granted.**

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262502 DOCKET #7598 – LARRY & JULIE ELLIOTT, Owners, 12732 South Monitor Avenue, Palos Heights, Illinois 60463, Application (No. MA-03-06; Z03207). Submitted by same. Seeking a MAP AMENDMENT from the R-4 Single Family Residence District to THE R-5 Single Family Residence District subdivide one parcel into two parcels and build one new single family residence in Section 32 of Worth Township. Property consists of approximately 0.83 of an acre located on the west side of Monitor Avenue, approximately 194 feet south of 127th Street in Worth Township. Intended use: Single family residence (new and existing to remain). **Recommendation: That application be granted.**

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262504 DOCKET #7596 – DANETTE ZIELINSKI, Owner, 10208 West Lyndale, Melrose Park, Illinois 60164, Application (No. SU-03-08; Z03150). Submitted by William J. Hennessy, 111 West Washington Street, Chicago, Illinois 60602. Seeking a SPECIAL USE, UNIQUE USE in the R-5 Single Family Residence District to convert a long-established, legal non-conforming coach house (since 1938) use of the subject property to a permitted use in Section 33 of Leyden Township. Property consists of .18 of an acre located on the north side of Lyndale Street, approximately 94 feet west of Dora Avenue. Intended use: To convert a long-established, legal non-conforming coach house use of the subject property to a permitted use. **Recommendation: That application be granted.**

**THE ZONING BOARD OF APPEALS RECOMMENDATIONS FOR VARIATIONS:**

- 266565 DOCKET #7669 - J. & A. WOLFE, Owners, Application: Variation to reduce right interior side yard setback from the minimum required 15 feet to 11.8 feet (existing principal); reduce left interior side yard setback from the minimum required 15 feet to 14 feet (existing principal); and reduce right interior side yard setback from the minimum required 15 feet to 4 feet (existing accessory) for a second story addition over an attached garage in the R-4 Single Family Residence District. The subject property consists of approximately 0.51 of an acre, located on the west side of Thorntree Lane, approximately 204 feet south of Brookdale Lane in Palatine Township. **Recommendation: That variation application be granted.**  
Conditions: None.  
Objectors: None.
- 266566 DOCKET #7670 – W. GABOR, Owner, Application: Variation to reduce lot area from the minimum required 40,000 square feet to 36,445 square feet (existing) and to reduce lot width from the minimum required 150 feet to 149 feet (existing) for a single family residence on private sewage system and well in the R-3 Single Family Residence District. The subject property consists of approximately 0.84 of an acre, located on the east side on Prairie Court, approximately 382 feet north of Apple Street in Lemont Township. **Recommendation: That variation application be granted.**  
Conditions: None.  
Objectors: None.
- 266567 DOCKET #7671 – J. RAPACZ, Owner, Application: Variation to reduce front yard setback from the minimum required 27 feet (@ 20%) to 25.5 feet; reduce left interior side yard setback from the minimum required 10 feet to 4 feet for a new single family residence and to reduce right interior side yard setback from the minimum required 10 feet to 3 feet for a detached garage (existing) in the R-5 Single Family Residence District. The subject property consists of approximately 0.15 of an acre, located on the north side of 74th Place, approximately 275.82 feet west of Nottingham Avenue in Stickney Township. **Recommendation: That variation application be granted.**  
Conditions: None.  
Objectors: None.
- 266568 DOCKET #7672 – S. TCHALEY, Owner, Application: Variation to reduce right interior side yard setback from the minimum required 10 feet to 4.73 feet (existing) for a second story addition in the R-5 Single Family Residence District. The subject property consists of approximately 0.25 of an acre, located on the east side of Hamilton Avenue, approximately 380 feet south of Dickens Street in Proviso Township. **Recommendation: That variation application be granted.**  
Conditions: None.  
Objectors: None.
- 266569 DOCKET #7673 – W. FREDERICK, Owner, Application: Variation to reduce lot width from the minimum required 150 feet to 100 feet (existing) and reduce both interior side yard setbacks from the minimum required 15 feet to 10 feet for a new single family residence on a private sewage system and well in the R-4 Single Family Residence District. The subject property consists of approximately 1.15 acres, located on the north side of Echo Lane, approximately 900 feet east of Quinten Road in Palatine Township. **Recommendation: That variation application be granted.**  
Conditions: None.  
Objectors: None.

**THE ZONING BOARD OF APPEALS RECOMMENDATIONS FOR VARIATIONS:**

266570 DOCKET #7674 – R. & K. HIGGINS, Owners, Application: Variation to reduce rear yard setback from the minimum required 40 feet to 2.5 feet (existing); reduce right interior side yard setback from the minimum required 10 feet to 0 feet (existing on the property line); and reduce left interior side yard setback from the minimum required 10 feet to 2.5 feet (existing) for an above ground pool in the R-5 Single Family Residence District. The subject property consists of approximately 0.09 of an acre, located on the south side of 115th Place, approximately 275 feet east of Springfield Avenue in Worth Township. **Recommendation: That variation application be granted.**

Conditions: None.

Objectors: None.

266571 DOCKET #7676 - V. MARTIINEZ & V. MARTINEZ TRUCKING, Owners, Application: Variation to divide a parcel into two lots: On lot 1 reduce lot area from 10,000 square feet to 6,400 square feet (existing single family residence) and to reduce right interior side yard setback from 10 feet to 3 feet (existing accessory structure) for a new single family residence on lot 2 in the R-5 Single Family Residence District. The subject property consists of approximately 0.38 of an acre, located on the north side of Montana Street, approximately 198.49 feet east of Geneva Avenue in Leyden Township. **Recommendation: That variation application be granted.**

Conditions: None.

Objectors: None.

266572 DOCKET #7677 – R. KRUZEL, Owner, Application: Variation to reduce rear yard setback from 40 feet to 30 feet for a new single family residence in the R-5 Single Family Residence District. The subject property consists of approximately 0.14 of an acre, located on the northwest corner of Linder Avenue and 48th Street in Stickney Township. **Recommendation: That variation application be granted.**

Conditions: None.

Objectors: None.

266573 DOCKET #7678 – J. MARUSARZ, Owner, Application: Variation to reduce left interior side yard setback from 10 feet to 3 feet for a detached garage in the R-5 Single Family Residence District. The subject property consists of approximately 0.15 of an acre, located on the north side of 74th Place, approximately 51.41 feet east of Nottingham Avenue in Stickney Township. **Recommendation: That variation application be granted.**

Conditions: None.

Objectors: None.

266574 DOCKET #7679 – J. & J. KOPPERS, Owners, Application: Variation to reduce rear yard setback from 50 feet to 42 feet for a single story family room addition in the R-4 Single Family Residence District. The subject property consists of approximately 0.29 of an acre, located on the west side of Palm Avenue, approximately 139 feet north of 167th Street in Orland Township. **Recommendation: That variation application be granted.**

Conditions: None.

Objectors: None.

**THE ZONING BOARD OF APPEALS RECOMMENDATIONS FOR VARIATIONS:**

- 266575 DOCKET #7680 – MAJIDAH ABDAL JAWAD, Owner, Application: Variation to reduce right interior side yard setback from 10 feet to 3 feet for a detached garage in the R-5 Single Family Residence District. The subject property consists of approximately 0.15 of an acre, located on the south side of 73rd Street, approximately 300 feet east of Harlem Avenue in Stickney Township. **Recommendation: That variation application be granted.**  
  
Conditions: None.  
  
Objectors: None.
- 266576 DOCKET #7681 – J. & M. SLAVICH, IV, Owners, Application: Variation to reduce right interior side yard setback 15 feet to 4.5 feet and to reduce rear yard setback from minimum required 50 feet to 10 feet for an indoor pool addition in the R-4 Single Family Residence District. The subject property consists of approximately 0.44 of an acre, located at the northwest corner of Lincoln Street and Pratt Boulevard in Schaumburg Township. **Recommendation: That variation application be granted.**  
  
Conditions: None.  
  
Objectors: None.
- 266577 DOCKET #7683 – R. & P. SHARES, Owners, Application: Variation to reduce lot area from 40,000 square feet to 20,050 square feet (existing); and to reduce lot width from 150 feet to 100 feet (existing) for a garage and den addition in the R-3 Single Family Residence District. The subject property consists of approximately 0.46 of an acre, located on the west side of Stephen Drive, approximately 504 feet north of Hillcrest Drive in Palos Township. **Recommendation: That variation application be granted.**  
  
Conditions: None.  
  
Objectors: None.
- 266578 DOCKET #7684 – R. KITTLER, Owner, Application: Variation to reduce right interior side yard setback from 15 feet to 5 feet and to reduce front yard setback from 40 feet to 28 feet (existing) for an addition in the R-4 Single Family Residence District. The subject property consists of approximately 1.36 acres, located on the north side of 171st Street, approximately 506 feet west of Cicero Avenue in Bremen Township. **Recommendation: That variation application be granted.**  
  
Conditions: None.  
  
Objectors: None.
- 266579 DOCKET #7685 – M. & J. TOMSIA, Owners, Application: Variation to reduce right interior side yard setback from 10 feet (8 feet on V-96-79) to 2.5 feet and to reduce rear yard setback from 40 feet (17 feet on V-96-79) to 15 feet for a garage addition in the R-5 Single Family Residence District. The subject property consists of approximately 0.24 of an acre, located on the north side of Gregory Street, approximately 145 feet east of Washington Street in Norwood Park Township. **Recommendation: That variation application be granted.**  
  
Conditions: None.  
  
Objectors: None.

266580 DOCKET #7687 – J. & S. BARRY, Owners, Application: Variation to reduce lot area from the minimum required 40,000 square feet to 14,748 square feet (existing); and to reduce lot width from 150 feet to 114 feet (existing) for a new single family residence in the R-4 Single Family Residence District. The subject property consists of approximately 0.34 of an acre, located on the east side of 117th Avenue, approximately 120 feet north of 159th Street in Orland Township. **Recommendation: That variation application be granted.**

Conditions: None.

Objectors: None.

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266581 DOCKET #7686 – K. & J. BEDNARZ, Owners, Application: Variation to increase height of fence in front yard from 3 feet to 5 feet; reduce right interior side yard setback from the minimum required 15 feet to 4 feet; and to reduce yard setback from the minimum required 5 feet to 3 feet for a storage shed in the R-4 Single Family Residence District. The fence in the front yard would be uncharacteristic for this area. The subject property consists of approximately 0.39 of an acre, located on the east side of Edgewood Avenue, approximately 418.35 feet south of 59th Street Avenue in Lyons Township. **Recommendation: That application be denied.**

Conditions: None.

Objectors: The Zoning Board of Appeals recommends by a vote of 3-0 that the proposed Variation be denied, in accordance with our findings and recommendations presented herewith.

#### NEW APPLICATION

266582 MONTALBANO BUILDERS, INC., Owner, 2208 Midwest Road, Oak Brook, Illinois, Application (No. SU-04-09; Z04104). Submitted by James R. Griffin, Schain, Burney, Ross & Citron, Ltd., 222 North LaSalle Street, Suite 1910, Chicago, Illinois 60601. Seeking a SPECIAL USE for a Planned Unit Development in the R-5 Single Family Residence District (as granted by A-21-02) for thirty-one (31) single family lots on not less than 17,000 square foot lots (minimum) and two hundred eighteen (218) single family lots on not less than 12,500 square foot lots (minimum); no townhomes in Section 34 of Lemont Township. **NOTE:** This Preliminary/Final Planned Unit Development application is to be reviewed under the 1976 Cook County Zoning Ordinance pursuant to, and conditioned upon, the full and final execution of the Settlement Agreement between Montalbano Builders, Inc. and Cook County in litigation concerning this matter (see submitted cover letter). Property consists of approximately 132 acres located at the southwest corner of 131st Street and Parker Road in Lemont Township. Intended use: Residential Planned Unit Development (Final).

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- 242534 DOCKET #7130 – MONTALBANO BUILDERS, INC., Applicant, Application for preliminary planned unit development (“PUD”) of a 132-acre parcel located at the southwest corner of 131<sup>st</sup> and Parker Road in unincorporated Lemont Township. The Cook County Board denied the preliminary PUD application on February 20, 2003. The applicant filed a four count complaint captioned *Montalbano Builders Inc., v. Cook County, et al.*, Case No. 03 CH 4707, which is pending in the Circuit Court of Cook County, Illinois, before the Honorable Richard Siebel. The State’s Attorney’s Office has negotiated settlement agreement that resolves the pending litigation that is submitted for your approval. A copy of the proposed Settlement Agreement was previously provided to each Commissioner. Owner, as Contract Purchaser from Jolita Arzbaecher, as Trustee of the Irene Leonas Charitable Trust dated July 22, 1999, Jolita Arzbaecher, as Trustee of the Jolita Arzbaecher Trust dated September 22, 1993, Irene Leonas, as Trustee of the Irene Leonas Trust dated November 11, 1994 and Marquette National Bank, a national bank association, as Trustee under Trust Agreement dated May 16, 1983 and know as Trust No. 10475, 2208 Midwest Road, Oak Brook, Illinois 60523, Application (No. SU-21-09; Z01039). Submitted by Schain, Barney, Ross & Citron, Ltd., 222 North LaSalle Street, Suite 1910, Chicago, Illinois 60601. Seeking a SPECIAL USE in the R-5 Single Family Residence District, R-7 General Residence District, and C-4 General Commercial District (if granted under companion A-21-03) for a Conceptual Planned Unit Development of 339 single family homes, 105 townhome units and 4 acres of commercial use in Section 34 of Lemont Township. Property consists of approximately 132 acres located at the southwest corner of 131st Street and Parker Road in Lemont Township. Intended use: 339 Single Family Homes on 10,000 square feet lots/minimum, 105 Townhome Units, and 4 acres of commercial use. RECOMMENDATION: That the Preliminary Planned Unit Development as amended be granted, as it substantially conforms to the Concept Plan.

**THE ZONING BOARD OF APPEALS RECOMMENDATIONS:**

MAJOR MODIFICATION TO A PREVIOUSLY APPROVED PRELIMINARY PLANNED UNIT DEVELOPMENT, PREVIOUSLY APPROVED BY THE COOK COUNTY BOARD OF COMMISSIONERS.

- 242535 DOCKET #7131 – HOME WERKS – LEMONT, LLC/MONTALBANO BUILDERS, INC., Owner, as Contract Purchaser from Walter and Maureen Zuschlag, 2208 Midwest Road, Oak Brook, Illinois, Application (No. A-21-04; Z01040). Submitted by Schain, Barney, Ross & Citron, Ltd., 222 North LaSalle Street, Suite 1910, Chicago, Illinois 60601. Seeking a MAP AMENDMENT from the R-3 Single Family Residence District to the R-5 Single Residence District, R-7 General Residence District and the C-4 General Commercial District for a Planned Unit Development (if granted under companion SU-21-10) in Section 35 of Lemont Township . Property consists of approximately 68 acres located at the north side of 131st Street approximately 1,320 feet west of Bell Road in Lemont Township. Intended use: Residential and commercial uses. Recommendation: MAJOR MODIFICATION TO BE GRANTED.
- 242536 DOCKET #7132 - HOME WERKS – LEMONT, LLC/MONTALBANO BUILDERS, INC., Owner, as Contract Purchaser from Walter and Maureen Zuschlag, 2208 Midwest Road, Oak Brook, Illinois, Application (No. SU-21-10; Z01041). Submitted by Schain, Barney, Ross & Citron, Ltd., 222 North LaSalle Street, Suite 1910, Chicago, Illinois 60601. Seeking a SPECIAL USE in the R-5 Single Family Residence District, R-7 General Residence District, and C-4 General Commercial District (if granted under companion A-21-04) for a Preliminary Planned Unit Development of 124 single family homes, 78 townhome units, and 3.4 acres of commercial use in Section 35 of Lemont Township. Property consists of approximately 68 acres located on the north side of 131st Street approximately 1,320 feet west of Bell Road in Lemont Township. Intended use: 124 Single Family Homes, 78 Townhome Units and 3.4 acres of commercial use. Recommendation: MAJOR MODIFICATION TO BE GRANTED.

\* The next regularly scheduled meeting is presently set for Wednesday, September 8, 2004.